PATENT 071949-2104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

BUECHLER et al.

Title:

NOVEL METHODS FOR THE ASSAY

OF TROPONIN I AND T AND

COMPLEXES OF TROPONIN I AND T AND SELECTION OF ANTIBODIES FOR USE IN IMMUNOASSAYS

Appl. No.:

09/349,194

Filing Date:

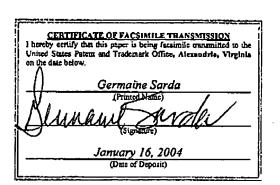
06/07/1999

Examiner:

Gabel

Art Unit:

1641



REPLY BRIEF UNDER 37 CFR § 1.193

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants (herein, "Appellants") submit the following remarks in response to the Examiner's Answer mailed on December 16, 2003. No fee is believed due with this submission. If this is incorrect or if any additional fees are due in this regard, please charge Deposit Account No. 50-0872 for the appropriate amount.

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Argument	***************************************	4
<u>35 U.</u>	S.C. § 112, First Paragraph, Enablement Rejection	4
	is no basis to interpret the phrase "an antibody" to be equivalent to agle monoclonal antibody".	4
	nablement rejection is fatally flawed due to an erroneous enablement ard	8
	ejection ignores evidence of record, instead relying solely on the iner's personal opinion	10
	astant claims meet the enablement standard of 35 U.S.C. § 112, aragraph	1

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Table of Publications

MPEP § 2164.01(b)	5
The Dictionary of Cell Biology, 2 nd Ed., Academic Press, San Diego, 1995	5
MPEP § 2111	7
MPEP § 2164.02	8
MPEP § 2164.04	9
In re Chilowsky, 229 F.2d 457 (CCPA 1956)	9
Ex parte Miyada, Appeal No. 1997-3535 (Bd. Pat. App. Int.)	9
MPEP & 2164 05	11